

EXHIBIT H

Jillian Dent

From: Tyler Newby <tnewby@fenwick.com>
Sent: Monday, November 16, 2020 10:31 PM
To: Barrett Vahle; Amazon-Capital One
Cc: Jillian Dent; Janie Miller; Karen Hanson Riebel (khriebel@locklaw.com); John Yanchunis x2191; Patrick Barthle x2219; Norm Siegel; Steven T. Webster
Subject: RE: Cap One - AWS 30b6 schedule

External Email

Barrett,

These objections should come as no surprise to the Plaintiffs, as we raised the same objections to Plaintiffs' identical document requests, which have been the subject of our meet and confers over the past two weeks. Mr. Bentzen will be prepared to testify in accordance with Amazon's objections.

Regards,

Tyler

Tyler Newby

Fenwick | Partner | O: 415-875-2495 | M: 415-505-3857 | tnewby@fenwick.com

From: Barrett Vahle <vahle@stuevesiegel.com>
Sent: Monday, November 16, 2020 7:29 PM
To: Tyler Newby <tnewby@fenwick.com>; Amazon-Capital One <Amazon-CapitalOne@fenwick.com>
Cc: Jillian Dent <dent@stuevesiegel.com>; Janie Miller <JMiller@fenwick.com>; Karen Hanson Riebel (khriebel@locklaw.com) <khriebel@locklaw.com>; John Yanchunis x2191 <JYanchunis@ForThePeople.com>; Patrick Barthle x2219 <pbarthle@forthepeople.com>; Norm Siegel <siegel@stuevesiegel.com>; Steven T. Webster <swebster@websterbook.com>
Subject: RE: Cap One - AWS 30b6 schedule

**** EXTERNAL EMAIL ****

Tyler,

Plaintiffs served their Second Rule 30(b)(6) Notice and topics on October 13th, and Amazon did not raise the fact that it was not producing a witness with respect to certain of those topics (either in whole or in part) until today when it served objections during the course of another deposition in this case. The appropriate mechanism for limiting or not producing a witness for certain topics is to move for a protective order. See *Beach Mart, Inc. v. L&L Wings, Inc.*, 302 F.R.D. 396, 406 (E.D.N.C. 2014) ("The proper procedure to object to a Rule 30(b)(6) deposition notice is not to serve objections on the opposing party, but to move for a protective order."). We expect to depose a knowledgeable witness on the topics served tomorrow.

Best regards,

Barrett

Barrett J. Vahle
Stueve Siegel Hanson LLP

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Kansas City, MO 64112
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From: Tyler Newby <tnewby@fenwick.com>
Sent: Monday, November 16, 2020 6:00 PM
To: Barrett Vahle <vahle@stuevesiegel.com>
Cc: Jillian Dent <dent@stuevesiegel.com>; Janie Miller <JMiller@fenwick.com>
Subject: RE: Cap One - AWS 30b6 schedule

External Email

Barrett,

A PDF of the one page document I referenced below is attached. We'll also be producing it with the usual load file, but given the time, I'm sending it to you in this format as well.

Regards,

Tyler

From: Tyler Newby
Sent: Monday, November 16, 2020 3:56 PM
To: Barrett Vahle <vahle@stuevesiegel.com>
Cc: Jillian Dent <dent@stuevesiegel.com>; Janie Miller <JMiller@fenwick.com>
Subject: RE: Cap One - AWS 30b6 schedule

Barrett,

We can start at 10 Eastern / 7 Pacific. The witness is in the Eastern time zone.

Also, we will be sending over shortly a one page financial model that was used to estimate profit margin for the Capital One contract signed in 2019, which we uncovered today. As I've explained previously, Amazon does not track profit and loss for each customer, but it does have this pre-contract model.

Regards,

Tyler

Tyler Newby
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From: Barrett Vahle <vahle@stuevesiegel.com>
Sent: Monday, November 16, 2020 10:26 AM
To: Tyler Newby <tnewby@fenwick.com>

Cc: Jillian Dent <dent@stuevesiegel.com>

Subject: Cap One - AWS 30b6 schedule

**** EXTERNAL EMAIL ****

Tyler –

We noticed Mr. Bentzen's deposition tomorrow for 9:30 eastern because he is on eastern time. That's fine with us, but wanted to let you know we're flexible on the start time. This will not be an all-day deposition so happy to start at a more reasonable pac time at your preference.

Best,

Barrett

Barrett J. Vahle
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